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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO

		Nos. 08-2997, 08-1023 JSW
ELECTRONIC FRONTIER FOUNDATION,)	
Plaintiff,)	SECOND STIPULATION TO
)	CONTINUE CASE MANAGEMENT
v.)	CONFERENCE AND ORDER THEREON
)	
OFFICE OF THE DIRECTOR OF NATIONAL)	
INTELLIGENCE and UNITED STATES)	
DEPARTMENT OF JUSTICE)	
Defendants,)	
)	

THE PARTIES HEREBY STIPULATE, pursuant to Local Rules 6-1(b), 6-2, and 7-12, that the Case Management Conference currently set for July 23, 2010, shall be continued to September 10, 2010. In support of this stipulation, the parties state the following:

1. On May 3, 2010, the United States Court of Appeals for the Ninth Circuit issued the mandate in this case, giving effect to the Ninth Circuit's judgment entered on

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February 9, 2010. In that opinion, the Ninth Circuit vacated this Court's denial of summary judgment for the Government and grant of summary judgment for plaintiff EFF as to FOIA Exemptions 3 and 5, and remanded for consideration of these exemptions consistent with the court's opinion.

2. On May 5, 2004, the Court set a Case Management Conference for July 2, 2010, at 1:30 p.m.

3. On June 23, 2010, the parties filed a stipulation asking the Court to continue the Case Management Conference to July 23, 2010. The parties explained that they needed the additional time to complete a process in which they were jointly engaged of determining the issues that remain for litigation. The parties sought a continuation of the Case Management Conference to promote judicial efficiency and facilitate resolution of the litigation.

4. On June 24, 2010, the Court granted the parties' stipulation and continued the Case Management Conference to July 23, 2010. The Court further ordered that the joint case management conference statement shall be due on or before July 16, 2010.

5. The parties have completed the exchange of information that was referenced in the prior stipulation, and they are now actively engaged in settlement negotiations. The parties request that the Court continue the Case Management Conference scheduled for July 23, 2010, to September 10, 2010, to facilitate the parties' efforts to resolve this case without further litigation.

Dated: July 14, 2010

Respectfully submitted,

TONY WEST
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Second Stipulation to Continue Case Management Conference , Case Nos. 08-2997, 08-1023 (JSW)

/s/ Marcia Berman

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GENERAL ORDER NO. 45(X) CERTIFICATION

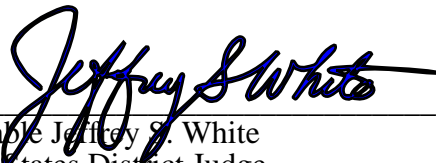
I attest that I have obtained Marcia Hofmann's concurrence in the filing of this document.

/s/ Marcia Berman

MARCIA BERMAN

PURSUANT TO STIPULATION, IT IS ORDERED that the Case Management Conference is continued from July 23, 2010 to September 10, 2010, at 1:30 p.m. or a time convenient for the Court. The joint case management conference statement shall be due on or before September 3, 2010.

DATED: July 15, 2010



Honorable Jeffrey S. White
United States District Judge